

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ANNETTE VOGELFANG,

Plaintiff,

-against-

CAPTAIN FITZGERALD, LT. VALLO,
DR. GOLDSTEIN, SGT. RORICK, C.O. JUDD,
C.O. JENKINS, C.O. BOUCHREAU,
C.O. GUZMAN, C.O. CENTUR, C.O. NEIL,
NURSE HERON, in their individual and official
capacities,

Defendants.
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FEUERSTEIN, J.

On December 16, 2011, pro se plaintiff Annette Vogelfang ("plaintiff") commenced this action pursuant to 42 U.S.C. § 1983. Plaintiff alleges, inter alia, that the defendant correction officers "slammed [her] face into [a] brick wall repeatedly," causing her to become "unrecognizable on the entire right side of [her] face" and that the defendant medical professionals were deliberately indifferent to her medical needs. Complaint at 3-4.

The events underlying plaintiff's claims occurred at the Bedford Hills Correctional Facility, which is located in Westchester County, in the Southern District of New York. See 28 U.S.C. § 112(b) (Westchester County located within the Southern District of New York). Venue is therefore proper in the Southern District of New York.

"For the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought."

FILED
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U.S. DISTRICT COURT, E.D.N.Y.

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LONG ISLAND OFFICE

ORDER

11-CV-6234 (SJF)(AKT)

28 U.S.C. § 1404(a). As the events underlying the complaint appear to have occurred at Bedford Hills Correctional Facility, a transfer to the Southern District of New York would promote convenience for the parties and witnesses, and would be in the interest of justice. The Court notes that other actions against correction officers at the Bedford Hills facility have been litigated in the Southern District of New York. See, e.g., Eldridge v. New York, No. 10 Civ. 423, 2011 WL 1532046 (S.D.N.Y. Feb. 1, 2011); Wylie v. Bedford Hills Correctional Facility of New York, No. 07 Civ. 6045, 2008 WL 2009287 (S.D.N.Y. May 8, 2008).

For the foregoing reasons, this case is hereby transferred to the United States District Court for the Southern District of New York pursuant to 28 U.S.C. § 1404(a). The Clerk of Court is directed to serve a copy of this order upon the pro se plaintiff.

SO ORDERED.

Sandra J. Feuerstein
United States District Judge

Dated: December 23, 2011
Central Islip, New York